

REMARKS/ARGUMENTS

Claims 1-10 and 12-15 are pending. Claims 1-10 and 12-15 stand rejected. Claims 1 and 2 are amended herein. The amendments are supported at least by Figure 4 and Page 11 of the original application. No new matter is added.

APPLICANT SUMMARY OF INTERVIEW

The undersigned thanks the Examiner for the telephone interviews conducted on November 25, 2008 and December 17, 2008. The Examiner proposed that the addition of claim language directed to reading the tag a plurality of times, validating the tag and extracting data from the tag would likely overcome the references cited to date. The undersigned thanks the Examiner for her comments. It is believed that the amendments herein capture the elements that the Examiner has suggested and that the application is now in condition for allowance.

CLAIM REJECTIONS - 35 USC § 103(a)

Claims 1-3, 5-7, 9-10 and 12-15 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,446,049 ("Janning") in view of U.S. Patent Application Publication No, 2002/0111768 ("Ghorayeb").

Claim 4 stands rejected under 35 USC §103(a) as being unpatentable over Janning in view of Ghorayeb and in further view of U.S. Patent No. 6,343,241 (“Kohut”).

Claim 8 stands rejected under 35 USC §103(a) as being unpatentable over Janning in view of Ghorayeb and in further view of U.S. Patent No. 6,157,871 (“Terranova”).

Claim 1 of the application states:

A system for conducting cashless business transactions, comprising:
a plurality of fuel dispensers, each dispenser having at least one antenna and at least one vehicle presence detector,
said at least one vehicle presence detector determining presence of a stationary vehicle, by
(i) automatically starting a timer upon initial arrival of the vehicle,
(ii) detecting the vehicle while said timer is running,
(ii) determining whether the timer has exceeded a predetermined threshold while the vehicle is detected, and
(iv) if the threshold has been exceeded, determining that the vehicle is stationary;
a controller reading information from a tag connected to the vehicle when the vehicle is detected by said at least one vehicle presence detector;
said controller reading the tag at least a predetermined number of times, validating the tag and extracting data from the tag; and
a point of sale computer receiving tag information from the controller and processing the tag information to conduct a cashless business transaction.

Claim 2 of the application states:

A system for conducting cashless business transactions, comprising:
a plurality of dispensers, each dispenser being associated with at least one antenna and
at least one vehicle presence detector, said at least one vehicle

presence detector performing
detection of a stationary vehicle, wherein the stationary vehicle is
detected by (i) automatically setting a timer, (ii) detecting the
vehicle while said timer is running, (iii) determining whether the
timer has been exceeded when the vehicle is detected, and (iv) if
the timer has been exceeded, determining that the vehicle is
stationary;

a controller receiving a detection notification from a first
vehicle presence detector,
the first vehicle presence detector being associated with a first
dispenser, the controller
activating a first antenna in response to the notification;

a tag interrogator connected to the at least one antenna and
transmitting an interrogation signal to a tag through the first antenna
a plurality of times, validating said tag and receiving information
from said tag after the first antenna is activated; and

a point of sale device receiving the information from the
tag interrogator and activating the first dispenser.

As stated in the aforementioned interviews, neither Janning nor Ghorayeb disclose or
suggest “said controller reading the tag at least a predetermined number of times, validating the
tag and extracting data from the tag and a point of sale computer receiving tag information from
the controller.” For at least this reason, Claims 1 and 2 are believed to be allowable.

Claims 3-10 and 12-15 depend from Claims 1 or 2 and are therefore allowable for at least
the reasons stated above with respect to Claims 1 and 2.

Conclusion

In view of the foregoing remarks, the applicants respectfully submit that the Examiner’s
rejections have been overcome, and that the application, including Claims 1-10 and 12-15 is in
condition for allowance. Reconsideration and withdrawal of the Examiner’s rejections and an

Application Serial No. 09/740,808
Attorney Docket No. T1142/20023

early Notice of Allowance are respectfully requested.

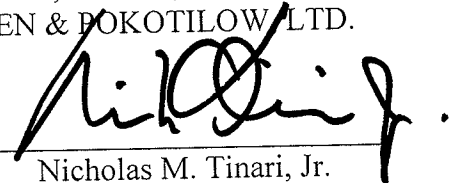
Should the Examiner believe that anything further is desirable in order to place the application in even better condition for initial examination and allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW LTD.

December 20, 2008

By



Nicholas M. Tinari, Jr.
Registration No. 58,200
Customer No. 03000
(215) 567-2010
Attorneys for Applicants

Please charge or credit our
Account No. 03-0075 as necessary
to effect entry and/or ensure
consideration of this submission.